

JUDGE AMARA

IN THE UNITED STATES DISTRICT COURT FOR
THE SOUTHERN DISTRICT OF NEW YORK

07 CV 11364

Dr. FREDERICK K. C. PRICE, an individual,

Plaintiff,

v.

JOHN STOSSEL, an individual, GLENN
RUPPEL, an individual, AMERICAN
BROADCASTING COMPANIES, INC., a
Delaware corporation, ABC INC., a Delaware
corporation, OLE ANTHONY, an individual,
and TRINITY FOUNDATION, INC., an
entity, form unknown,

Defendants.

**COMPLAINT FOR DEFAMATION;
INTENTIONAL INFLICTION OF
EMOTIONAL DISTRESS; DEMAND FOR
JURY TRIAL**

Civil Action No.

Plaintiff DR. FREDERICK K. C. PRICE ("Plaintiff" or "Dr. PRICE") files this Complaint against the above-named defendants, and complains and alleges as follows:

INTRODUCTION

1. Dr. PRICE established Crenshaw Christian Center East ("CCC East") in New York City in May, 2001. Its regular Sunday morning services are held in a church off Central Park West in New York, which it owns, and are attended by around 1,000 people. It currently has about 1,500 members, and 12 employees. Dr. PRICE remains the minister and preaches at many of the services. CCC East is affiliated with the Crenshaw Christian Center Church Of Los Angeles County, also known as "Crenshaw Christian Center/Ever Increasing Faith," (jointly with CCC East, the "CHURCH") which Dr. Price founded in South Los Angeles in 1973. Over the last 34 years, it has grown to the point where over 3,500 people attend the main Sunday services, which are televised in 15 of the 20 largest markets throughout the United States, and across the world on stations that reach more than 15 million households.

2. On March 23, 2007, defendant AMERICAN BROADCASTING COMPANIES, INC. ("ABCI"), broadcast a story on Good Morning America ("GMA") promoting a program that was set to air on its evening program, "20/20." In an interview format, defendant JOHN STOSSEL sits with GMA personality Robin Roberts. During the interview, a portion of the 20/20 program described below

is shown. Specifically, a video clip of a woman is broadcast wherein she states that she knows the donations she gives to her church are put to "excellent use." Immediately following this clip, JOHN STOSSEL states: "And yet her pastor, Fred Price, boasts that..." At this point a clip of a Sermon by DR. PRICE begins, which states: "...I live in a 25-room mansion, I have my own six-million-dollar yacht, I have my own private jet, and I have my own helicopter, and I have seven luxury automobiles." This clip, however, was actually from a videotaped sermon ("Sermon") that Dr. PRICE preached 10 years previously in which he was discussing hypothetically, in the first person singular, how people can have great wealth (the "Clip"). In the Sermon, he then went on to give examples of how such people can feel spiritually unfulfilled despite their great wealth, but this passage, which would have placed the footage in the Clip in its proper context, was omitted.

3. On March 23, 2007, defendant AMERICAN BROADCASTING COMPANIES, INC. ("ABC"), broadcast the entirety of the story, promoted earlier on GMA, on its evening program, "20/20" (the "Program"), which depicted religious leaders who correspondent John Stossel characterized in the story as "the bad guys" implying that they financially exploit their supporters. One of the religious leaders who was featured in the Program was Dr. PRICE. The Program included less than a minute of film from a videotaped Sermon. As described above, the Clip, however, was actually from an out of context videotaped Sermon. The 20/20 Program continued with an interview with Rusty Leonard, wherein additional pictures of ministers are shown, including Dr. PRICE, and the Program shows a computer screen with the name of the churches, including Dr. PRICE'S CHURCH, and defendant JOHN STOSSEL refers to them as "the bad guys."

4. In one of the most outrageous instances of "out of context" editing in the history of television, the Clip was edited into the Program in such a way as to cause reasonable viewers to believe (a) that Dr. PRICE was admitting that the great wealth to which he was referring in his hypothetical example, was his, and (b) that he was able to enjoy this extravagant lifestyle because he was looting the CHURCH's coffers.

5. The Program was produced by defendant GLENN RUPPEL and presented by defendant JOHN STOSSEL, who introduced the Clip by stating that Dr. PRICE was "boasting" about having his own 25 room mansion, yacht, jet, helicopter and 7 luxury automobiles.

6. The Clip also appeared in whole or in part in a number of "teasers" (the "Teasers") for the Program that were broadcast on GMA. The Teasers were intended to cause reasonable viewers to believe that the Program was an expose of a group of corrupt religious leaders, including Dr. PRICE.

7. Plaintiff is informed and believes and on that basis alleges that the Clip was provided to the other defendants by defendants OLE ANTHONY and/or the TRINITY FOUNDATION. ANTHONY and TRINITY are vehemently hostile to evangelical leaders, and are therefore a biased and unreliable source. The other Defendants were aware of this and therefore should have closely examined and investigated any film or other materials that ANTHONY and/or TRINITY provided to them, such as the Clip, and should have refused to broadcast the Clip without reviewing the whole film from which the Clip was taken, in order to determine the context in which Dr. PRICE made the statements that appear in the Clip. But their desire to create a sensationalist program to boost ratings overcame any interest in determining the truth. In broadcasting the Clip as alleged, Defendants breached fundamental journalistic guidelines and acted in reckless disregard for the truth or falsity of that which was broadcast.

8. After 50 years devoted to carrying the message of God and being of service to his fellows, Dr. PRICE's reputation was severely harmed. He was portrayed on national and international television and the Internet as a hypocrite and thief who had by his own admission surreptitiously taken money from his supporters to support an ostentatious and extravagant lifestyle. This portrayal damaged or destroyed the trust and affection that many of his supporters felt for Dr. PRICE, who was devastated, embarrassed and greatly humiliated, causing him to suffer from severe emotional distress.

PARTIES, JURISDICTION AND VENUE

9. Dr. PRICE is, and at all times herein mentioned was, an individual residing in the County of Los Angeles, State of California.

10. Plaintiff is informed and believes, and on that basis alleges, that defendant AMERICAN BROADCASTING COMPANIES, INC. ("ABC"), is, and at all times herein mentioned was, a corporation organized under the laws of the State of Delaware, with its principal place of business in the State of New York.

11. Plaintiff is informed and believes, and on that basis alleges, that defendant ABC Inc., is,

and at all times herein mentioned was, a corporation organized under the laws of the State of Delaware with its principal place of business in the State of New York. ABC Inc., owns and/or controls ABCI. ABC, Inc. is owned by Disney, a corporation organized under the laws of the State of Delaware which acquired the Lifetime television channel in or about 1996, and owned and controlled it when the Program was broadcast in March 2007.

12. Plaintiff is informed and believes, and on that basis alleges, that defendants JOHN STOSSEL and GLENN RUPPEL are, and at all times herein mentioned were, individuals residing in the State of New York.

13. Plaintiff is informed and believes, and on that basis alleges, that defendant the TRINITY FOUNDATION, INC., ("TRINITY") is an entity of unknown form, with its principal place of business in the City of Dallas, State of Texas, and that defendant OLE ANTHONY is, and at all times herein mentioned was, an individual residing in the State of Texas, who was an officer, agent, director or employee of TRINITY.

14. Whenever in this Complaint reference is made to "Defendants", such allegation shall be deemed to mean the acts of all of the defendants mentioned in this paragraph and those above, acting individually, jointly and/or severally.

15. ABCI and ABC Inc., (collectively, the "Corporate Defendants") control the ABC television network, and other related media. They caused the Teasers and the Program to be broadcast on television across the nation, including in the city of New York, State of New York, and internationally, and in other media, such as the internet, that could be viewed by residents of said city.

16. This Court has original subject matter jurisdiction with respect to this action pursuant to 28 U.S.C. § 1332, as there exists complete diversity of citizenship between Plaintiff and Defendants and the amount in controversy exceeds \$75,000.

17. ABC, ABCI, STOSSEL, RUPPEL, ANTHONY and TRINITY are subject to jurisdiction of this Court pursuant to 28 U.S.C. § 1332.

18. Venue is proper in this district pursuant to 28 U.S.C. § 1391(a).

BACKGROUND

19. Dr. PRICE, who was born in 1932, was educated in the Los Angeles public school

system, and attended Los Angeles City College. He began his long career as a religious leader when he became an assistant pastor in the Baptist church in 1955. He has received many awards, including a Horatio Alger award, an honorary Doctorate of Divinity Degree from Oral Roberts University, and the "Kelly Miller Smith Interfaith Award" presented by the Southern Christian Leadership Conference, which honors clergy who have made the most significant contribution through religious expression affecting the nation and world. And Dr. PRICE was the first black pastor to speak at "Town Hall Los Angeles." In addition, he is the author of some 50 books on faith, healing, prosperity and Christianity, and has sold over 2.1 million books since 1976. His message that economic prosperity can be achieved through a faith-based, God-centered life brings hope and commitment to the community.

20. Dr. PRICE founded the CHURCH in Inglewood, California, in 1973. In 1981, the CHURCH purchased the 32-acre former campus of Pepperdine University on Vermont Avenue in Los Angeles, where it built the FaithDome, one of the largest church sanctuaries in the United States with over 9,000 seats. It has an established preschool, elementary, middle, and high school and correspondence school, and is known worldwide through the "Ever Increasing Faith" TV, radio and tape ministry, which is broadcast on stations that reach more than 15 million households each week, and airs in 15 of the 20 largest markets throughout the United States. Currently, the CHURCH's membership totals over 22,000. Dr PRICE remains the minister and is the principal preacher at the CHURCH's services. He is held in great esteem and affection by his members and the public at large. The Church finances missions to some of Africa's poorest communities in Namibia, Ghana and Zimbabwe, contributes to other well-established ministries in Haiti, Brazil and Ghana, and supports food and housing programs and other outreach services in its South Los Angeles community.

21. Dr. PRICE established CCC East in New York City in May, 2001. Its regular Sunday morning services are attended by around 1,000 people in a church located at 1 West 96th Street at Central Park West, New York, NY 10025, which it owns. In addition, it holds services on Tuesday mornings and bible studies on Tuesday nights. CCC East has about 1,500 members, and 12 employees. Dr. PRICE remains CCC East's minister and preaches at many of its services.

FIRST CAUSE OF ACTION

(Defamation)

22. Plaintiff incorporates into this cause of action all allegations contained in paragraphs 1 through 21 of this Complaint as though set forth fully herein.

23. The first sign that something was wrong came the morning of March 23, 2007, when various CHURCH members called to say that they were shocked and disturbed to see Dr. PRICE on television describing enormous wealth, which, the story implied, he had obtained by looting the CHURCH's coffers. What they had seen was the GMA interview and/or one or more of the Teasers that was broadcast on the ABC network and through its domestic and international affiliates, subsidiaries and licensees to persuade viewers to watch the Program.

24. The GMA interview, the Teasers and the Program contain numerous implications and statements (the "Offending Statements") that are false and defamatory, including, without limitation, the following:

(a) A Teaser was broadcast on GMA on or about March 23, 2007 ("Teaser A") that consisted of film showing large houses and luxury automobiles, followed by film of various preachers, including footage from the Clip showing Dr. PRICE preaching (but without broadcasting what he was saying). The words in large block capitals, "JOHN STOSSEL: ENOUGH!" appeared on the screen, and the voice of GMA co-anchor Diane Sawyer exclaimed, "6 million dollar yachts, private jets, Rolls Royces – sound like the good life? What about the godly life? John Stossel takes us inside the lives of some preachers and says 'enough'."

(b) A Teaser was broadcast on GMA on or about March 23, 2007 ("Teaser B") that consisted of film showing large houses and luxury automobiles, followed by film of various preachers, including footage from the Clip showing Dr. PRICE preaching (but without broadcasting what he was saying). The words in large block capitals, "JOHN STOSSEL: ENOUGH!" appeared on the screen, and Ms. Sawyer says, "Look at these mansions; this Rolls Royce. Think they're owned by moguls? No they're owned by preachers. And John Stossel is here to say 'enough'."

(c) A Teaser was broadcast on GMA on or about March 23, 2007 at about 7:30 a.m.

("Teaser C"), which consisted of film showing large houses and luxury automobiles, followed by Miss Sawyer saying, "Does this look like something out of 'Lifestyles of The Rich and Famous'? If you think so, you are wrong." News presenter Chris Cuomo chimed in, "I know. These are preachers who fly around, imagine this, in private jets and lounge on multi-million dollar yachts." Miss Sawyer then stated that STOSSEL had said "Enough!" and was "taking on the case," and would be investigating these preachers in the Program that would air that evening. The GMA presenters are then shown laughing, the clear implication being that they were anticipating with pleasure the exposure of corrupt preachers by STOSSEL in the Program.

(d) A Teaser was broadcast on GMA on or about March 23, 2007 at about 7:38 a.m. ("Teaser D") which consisted of film showing large houses and luxury automobiles, followed by film of various preachers, including footage from the Clip showing Dr. PRICE preaching (but without broadcasting what he was saying). Miss Sawyer says, "Mansions, yachts, Rolls Royces - the jet set life? Guess again. This is how some major league preachers really live. John Stossel is here to say 'enough'."

(e) The GMA program aired on ABC television in New York and Los Angeles on or about March 23, 2007, between 7:00 a.m. and 8:00 a.m. In an interview format, defendant JOHN STOSSEL sits with GMA personality Robin Roberts. During the interview, a portion of the 20/20 Program is shown. Specifically, a video clip of a woman is broadcast wherein she states that she knows the donations she gives to her church are put to "excellent use." Immediately following this clip, JOHN STOSSEL states: "And yet her pastor, Fred Price, boasts that..." At this point a clip of a Sermon by DR. PRICE begins, which states: "...I live in a 25-room mansion, I have my own six-million-dollar yacht, I have my own private jet, and I have my own helicopter, and I have seven luxury automobiles." This clip, however, was actually only a portion of a videotaped Sermon that Dr. PRICE preached 10 years previously in which he was discussing hypothetically, in the first person singular, how people can have great wealth. In the Sermon, he then went on to give examples of how such people can feel spiritually unfulfilled despite their great wealth ("bad success"), but this passage, which would have placed the footage in the Clip in its proper context, was omitted.

(f) The Program itself aired on ABC television in New York and Los Angeles on or about March 23, 2007, beginning at or about 10:00 p.m. local time. The Program was entitled "Enough!" and included a variety of issues that people were protesting—conduct of which they were proclaiming that they had had "Enough!" To quote Robin Roberts from the GMA program, the Program featured people who were "fed up." In addition to declaring "Enough" to preachers who steal from their congregation, the program also included individuals who said "Enough" to expensive sneakers, "Enough" to police officers shooting dogs on the side of the road, and "Enough" to politicians naming buildings after themselves. The entire program focused on people being "fed up," who consequently were saying "Enough!"

(g) The Program began with STOSSEL asking, "They preach the gospel of giving to God. But how much of what you give do they keep for themselves?" He focuses on the extravagance of certain preachers, shows a CHURCH service in progress, and then introduces one of the CHURCH's members who states that she knows that her money is "going to excellent use." STOSSEL then states, "And yet her pastor, Fred Price, boasts that (the Clip is shown with Dr PRICE saying) 'I live in a 25 room mansion, I have my own 6 million dollar yacht, I have my own private jet and I have my own helicopter and I have 7 luxury automobiles,'" showing a close up of a Rolls Royce. STOSSEL commented, "At least he tells people about it. But many preachers don't advertise how well they live...." STOSSEL then introduced a man named Rusty Leonard who gave up a Wall Street job to investigate churches' finances. Over footage showing various preachers including Dr. PRICE, STOSSEL stated that Mr. Leonard believed that it was "unchristian" that certain preachers ask donors for money but do not reveal how they spend it, and that "donors are being hosed," presumably by the preachers that appeared in the program, which included Dr. PRICE. During the interview with Rusty Leonard, a computer screen showing the name of the churches, including Dr. PRICE'S CHURCH is shown, and defendant STOSSEL refers to them as "the bad guys."

25. The Offending Statements are false. Dr. PRICE does not own a 25 room mansion, or a yacht, or an aircraft, or a helicopter, and he and his wife own only three automobiles between them. Dr. PRICE has never diverted funds donated to the CHURCH to his own personal use, and receives a salary commensurate with his duties, both ministerial and administrative, that is set and approved by the CHURCH's board of directors. The Board controls the CHURCH's finances, which are audited annually by a firm of certified public accountants, and are open to review by the CHURCH's congregation under a long standing policy of financial transparency.

26. The Offending Statements are slanderous on their face. Additionally, because they accuse Dr. PRICE, a minister, of dishonesty by diverting funds donated to the CHURCH to his own personal use in order to finance an absurdly extravagant lifestyle, they are slander per se, as the statement accused Dr. PRICE of a serious crime, embezzlement, and accused him of dishonesty in direct relation to his profession.

27. The Offending Statements are reasonably susceptible of a defamatory meaning.

(a) Teaser A. The footage showing Dr. PRICE preaching as the words in question ("6 million dollar yachts, private jets, Rolls Royces – sound like the good life? What about the godly life? John Stossel takes us inside the lives of some preachers and says "enough"), would cause a reasonable viewer to believe that he was diverting funds donated to the CHURCH to provide himself with an absurdly extravagant lifestyle that included a 6 million dollar yacht, a private jet, and 7 Rolls Royces, that he was corrupt, untrustworthy, dishonest, ungodly, greedy and hypocritical, and that this was a practice that caused great moral indignation and outrage, and should be stopped.

(b) Teaser B. By showing footage of Dr. PRICE preaching as the words in question ("Look at these mansions; this Rolls Royce. Think they're owned by moguls? No they're owned by preachers. And John Stossel is here to say 'enough'") are broadcast, Defendants are insinuating that he was diverting funds donated to the CHURCH to provide himself with an absurdly extravagant lifestyle that included mansions and 7 Rolls Royces, and implying that he was corrupt, untrustworthy, dishonest, greedy and hypocritical, and that this was a practice that caused great moral indignation and outrage, and should be stopped.

(c) Teaser C does not name or show Dr. PRICE, but it creates expectation in the viewers' minds that the Program was about preachers who diverted funds donated to their churches to provide themselves with extravagant lifestyles that included private jets and "lounging" on multi-million dollar yachts, and implying that they were corrupt, untrustworthy, dishonest, greedy and hypocritical, and that this was a practice that caused great moral indignation and outrage, and should be stopped.

(d) Teaser D. By showing footage of Dr. PRICE preaching as the words in question ("Mansions, yachts, Rolls Royces - the jet set life? Guess again. This is how some major league preachers really live. John Stossel is here to say 'enough'") are broadcast, Defendants are insinuating that he was diverting funds donated to the CHURCH to provide himself with an absurdly extravagant lifestyle that included mansions and Rolls Royces, and implying that he was corrupt, untrustworthy, dishonest, greedy and hypocritical, and that this was a practice that caused great moral indignation and outrage, which should be stopped

(e) In the GMA program, STOSSEL introduces Dr. PRICE by name and states that he boasts about his great wealth: "... Fred Price boasts that (the commentary ends, and the Clip plays, showing Dr. PRICE saying) 'I live in a 25 room mansion, I have my own 6 million dollar yacht, I have my own private jet and I have my own helicopter and I have 7 luxury automobiles,' showing a close up of a Rolls Royce). STOSSEL comments, "At least he tells people about it. But many preachers don't advertise how well they live..." The clear and unequivocal meaning is that these items belong to Dr. PRICE, and the context suggests that he acquired this money from the CHURCH. This is confirmed by

(i) the words, "MINISTERS WITH MANSIONS AND ROLLS ROYCES" which appeared at the bottom of the screen throughout the Teaser,

(ii) Ms. Roberts saying, "The bible discusses how difficult it is for the wealthy to reach heaven, but that hasn't stopped some preachers from attaining vast fortunes,"

(iii) STOSSEL's statement as an introduction to the Clip that Mr. Leonard investigated church finances because he believed the preachers "are squandering our money," which preceded the Clip,

(iv) STOSSEL's statement as an introduction to the Clip that Mr. Leonard believed that

donors "are being hosed,"

(v) the use of the word "yet" ("And yet her pastor, Fred Price, boasts ...") and showing the Clip immediately after the film of the CHURCH member who states that she knows that her money is "going to excellent use," which means or implies that she has been deceived by Dr. PRICE, and

(vi) STOSSEL's reference to Dr. PRICE as one of the "bad guys."

(f) In the Program, STOSSEL introduces Dr. PRICE by name and states that he boasts about his great wealth: "... Fred Price boasts that (the commentary ends, and the Clip plays, showing Dr. PRICE saying) 'I live in a 25 room mansion, I have my own 6 million dollar yacht, I have my own private jet and I have my own helicopter and I have 7 luxury automobiles,' as a close up of a Rolls Royce is shown)." STOSSEL comments, "At least he tells people about it. But many preachers don't advertise how well they live...." The clear and unambiguous meaning of this passage is that Dr. PRICE had abused his position as the leader of the CHURCH by diverting and misappropriating money given to the CHURCH to his own personal use in order to live an absurdly extravagant lifestyle. This is confirmed by

(i) STOSSEL's statement that Mr. Leonard investigated church finances because he believed the preachers "are squandering our money," which preceded the Clip,

(ii) STOSSEL's statement as an introduction to the Clip that Mr. Leonard believed that it was "unchristian" that certain preachers ask donors for money but don't reveal how they spend it, and that "donors are being hosed," and

(iii) the use of the word "yet" ("And yet her pastor, Fred Price, boasts ...") and showing the Clip immediately after the film of the CHURCH member who states that she knows that her money is "going to excellent use," which means or implies that she has been deceived by Dr. PRICE.

28. The Offending Statements were also defamatory because they would cause a reasonable viewer to believe that Dr. PRICE had manipulated and used a religious institution, namely, the CHURCH, as a vehicle to reward himself excessively at the donors' expense, thereby deceiving the donors because the money donated to the CHURCH had been diverted and misappropriated by Dr. PRICE and was not used for the purposes that they intended.

29. The Offending Statements were broadcast and otherwise distributed with knowledge that

they were false or with a reckless disregard for the truth or falsity of what was broadcast and otherwise distributed, based upon, but not limited to, the following facts:

(a) Defendants knew that Dr. PRICE did not own any yachts, airplanes, helicopters or 7 luxury automobiles;

(b) ANTHONY and TRINITY are known to the other Defendants to be vehemently hostile to evangelical leaders, and are therefore biased and unreliable sources. In particular, but without limitation, several years ago ABC's one-time religious editor, Peggy Wehmeyer, warned ABC that ANTHONY "could not be trusted and was obsessed with his crusade against" another televangelist—a warning that was cited by a United States District Court Judge in Oklahoma in a published opinion. *Tilton v. Capital Cities/ABC Inc.*, (1995) 905 F. Supp. 1514, 1529. The other Defendants should have subjected any film or other materials provided by ANTHONY or TRINITY to close examination and investigation for bias and misconstruction. At the very least, those other Defendants should have refused to broadcast the Clip without reviewing the whole film from which the Clip was taken, in order to determine the context in which Dr. PRICE made the statements that appear in the Clip, but their desire to create a sensationalist program to enlarge their audience and to boost ratings to gain additional advertising revenues overcame any interest in determining the truth, or in treating with fairness a man who had devoted his life to the service of his fellows;

(c) Defendants deliberately intended to convey the impression that Dr. PRICE had abused his position as the leader of the CHURCH by diverting and misappropriating money given to the CHURCH to his own personal use in order to live an absurdly extravagant lifestyle, which was known to it to be false; apart from the Clip, Defendants had no reason to believe that Dr. PRICE was anything other than an honest and devoted minister; and

(d) Defendants also deliberately accused Dr. PRICE of being “unchristian” in a story that was no doubt viewed by members of his Christian congregation and members of the communities in which his churches are located, specifically intending to damage his reputation with his parishioners and prospective parishioners in the communities.

(e) The Sermon was broadcast in or about 1997 on the Lifetime Television channel, which at that time was, and currently is, owned by DISNEY. Therefore the broadcaster Defendants

could have discovered the context in which the Clip appeared at any time if they had bothered to look in their own archives, but they failed to do so.

(f) Plaintiff is informed and believes, and on that basis alleges, that the Corporate Defendants subscribe to journalistic guidelines designed to promote good journalism and to prevent the dissemination of inaccurate and/or biased information. However Defendants' desire to create a sensationalist program and boost ratings prevailed, and Defendants wilfully violated those guidelines. Specifically, the Corporate Defendants violated the following generally accepted journalistic guidelines and standards among others:

- (i) Test the accuracy of information from all sources and exercise care to avoid inadvertent error. Deliberate distortion is never permissible.
- (ii) Diligently seek out subjects of news stories to give them the opportunity to respond to allegations of wrongdoing.
- (iii) Make certain that headlines, news teases and promotional material, photos, video, audio, graphics, sound bites and quotations do not misrepresent. They should not oversimplify or highlight incidents out of context.
- (iv) Never distort the content of news photos or video...(Society of Professional Journalists' Code of Ethics).

(g) Plaintiff has requested that Defendants provide him with a sworn statement indicating exactly what footage was provided by Trinity and Anthony to the Corporate Defendants. They have refused to do so. This information is significant to determine the extent to which JOHN STOSSEL, GLENN RUPPEL and the Corporate Defendants were willing to edit the footage, so as to intentionally mislead their audience. A few seconds on either end of the Clip reveal enough content to recognize that the statements were part of a hypothetical.

(h) Plaintiff is informed and believes, and on that basis alleges, that the audience for Good Morning America on March 23, 2007 was approximately 940,000 and the audience for 20/20 on March 23, 2007 was 7.48 million, so approximately 8.42 million people heard the defamatory broadcasts.

30. ANTHONY and/or TRINITY, acting with actual malice, provided the Clip to the other Defendants with the intention and expectation that the Clip would be broadcast on ABC, despite knowing (a) that it was taken out of context, (b) that it conveyed a false and defamatory meaning as to Dr. PRICE, and (c) that it was not an admission by Dr. PRICE that he had a yacht, plane, helicopter or 7 luxury automobiles. As a result, ANTHONY and/or TRINITY are liable for the broadcast and publication of the Offending Statements.

31. As a direct and proximate result of Defendants' conduct under the facts alleged above, Dr. PRICE's reputation as an honest and trustworthy man has been severely damaged. After 50 years devoted to carrying the message of God and being of service to his fellows, Dr. PRICE was publicly branded a hypocrite and a thief who had, allegedly by his own admission, taken money from his supporters to support an ostentatious and extravagant lifestyle. As a result, the trust and affection that many of his supporters felt for Dr. PRICE has been damaged or destroyed. He was devastated, embarrassed and greatly humiliated, and has suffered severe emotional distress, and is entitled to be compensated in an amount to be established according to proof.

32. Shortly after the defamatory broadcasts, Plaintiff demanded a correction and apology. Defendants purported retraction, which was broadcast on May 11, 2007, was inadequate and failed in any way to mitigate the damage done to Plaintiff because the retraction was not as conspicuous as the Offending Statements, was qualified, equivocal and was not teased or promoted as was the original defamatory broadcast.

33. The above-described conduct of Defendants, and each of them, was willful and was intended to cause injury to Plaintiff, who is therefore entitled to an award of exemplary or punitive damages. Defendants, and each of them, intentionally created a sensationalist program to boost ratings to gain additional advertising revenues overcame any interest in determining the truth, or in treating with fairness a man who has devoted his life to the service of his fellows.

SECOND CAUSE OF ACTION

(Intentional Infliction of Emotional Distress)

34. Plaintiff incorporates into this cause of action all allegations contained in paragraphs 1

through 33 of this Complaint as though set forth fully herein.

35. Defendants caused the Offending Statements to be broadcast despite knowing that they were false and defamatory.

36. As a direct and proximate result of Defendants' conduct under the facts alleged above, Dr. PRICE has suffered severe emotional shock and distress.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff, Dr. PRICE demands:

1. That judgment be entered against Defendant JOHN STOSSEL, Defendant GLENN RUPPEL, Defendant AMERICAN BROADCASTING COMPANIES, INC., Defendant ABC INC., Defendant OLE ANTHONY and Defendant TRINITY FOUNDATION, INC., jointly and severally on Count One and Count Two of this Complaint for compensatory damages according to proof presented at trial.

2. That judgment be entered against Defendant JOHN STOSSEL, Defendant GLENN RUPPEL, Defendant AMERICAN BROADCASTING COMPANIES, INC., Defendant ABC INC., Defendant OLE ANTHONY and Defendant TRINITY FOUNDATION, INC., jointly and severally on Count One and Count Two of this Complaint for general damages according to proof presented at trial.

3. That judgment be entered against Defendant JOHN STOSSEL, Defendant GLENN RUPPEL, Defendant AMERICAN BROADCASTING COMPANIES, INC., Defendant ABC INC., Defendant OLE ANTHONY and Defendant TRINITY FOUNDATION, INC., jointly and severally on Count One and Court Two of this Complaint for exemplary and punitive damages in an amount according to proof presented at trial.

4. That all costs of this action be assessed against Defendant JOHN STOSSEL, Defendant GLENN RUPPEL, Defendant AMERICAN BROADCASTING COMPANIES, INC., Defendant ABC INC., Defendant OLE ANTHONY and Defendant TRINITY FOUNDATION, INC., and

5. For such other and further relief as the Court deems just and proper.

DEMAND FOR JURY TRIAL

Plaintiff, DR. PRICE, hereby demands trial by jury on all issues.

Date: December 18, 2007

Respectfully submitted,

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Applications to Appear *Pro Hac Vice*
to be Submitted

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